



EFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kalina et al.
Appl. No. : 10/733,347
Filed : December 12, 2003
Title : DEVICE FOR CORRECTING THORACIC SPINE POSITIONING

Grp./A.U. : 3764
Examiner : Thanh, Quang D.

Docket No.: 14547

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement mailed June 12, 2006, the following is submitted:

An Election is made on page 2 of this response; and
Remarks/Arguments begin on page 3 of this response.

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Election Response

In response to the Restriction required under 35 U.S.C. 121, Applicants hereby elect Species IV, shown in Figures 5, 5a, and 6 and including claims 1, 2, 4, 6, 8-20, and 22. However, the Applicants acknowledge that if a generic claim, such as claim 1, is allowed, then the Applicant is entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim.

This election is made with traverse, and the Applicants reserve their right to file divisional applications with respect to the subject matter of the non-elected species set forth in Figures 1-4A and claims 3, 5, 7, and 21, if no generic claim is allowed.